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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Concerning
Energy Efficiency Rolling Portfolios,
Policies, Programs, Evaluation, and Related
Issues.

Rulemaking 13-11-005

**ASSIGNED COMMISSIONER'S RULING SETTING THE SCOPE AND
SCHEDULE FOR THE ORDER TO SHOW CAUSE AGAINST SOUTHERN
CALIFORNIA GAS COMPANY**

This ruling sets forth the category, issues to be addressed, and schedule of the order to show cause portion of this proceeding.

1. Procedural Background

On December 17, 2019, the assigned commissioner issued an order to show cause (OSC) directing Southern California Gas Company (Respondent) to explain why it is entitled to shareholder incentives for codes and standards advocacy in 2016 and 2017; whether its shareholders should bear the costs of its 2016 and 2017 codes and standards advocacy; and to address whether any other remedies are appropriate.

A prehearing conference was held on February 4, 2020 to discuss the issues of law and fact and determine the need for hearing and schedule for resolving the matter. After considering the motion, response, and discussion at the prehearing conference, I have determined the issues and schedule of the proceeding to be as set forth in this scoping memo.

2. Factual Allegations and Issues to be Determined

The factual questions to be addressed in this OSC are:

1. Whether Respondent used ratepayer funds that were authorized for energy efficiency to advocate against more stringent codes and standards during any period of time between 2014 and 2017 (inclusive); and
2. Whether Respondent ever used ratepayer funds that were authorized for energy efficiency to advocate against local governments' adoption of reach codes.

If the above factual questions are true, the issues to be determined are:

1. Whether Respondent is entitled to shareholder incentives for codes and standards advocacy in 2014 through 2017;
2. Whether Respondent's shareholders should bear the costs of its 2014 through 2017 codes and standards advocacy; and
3. Whether any other remedies are appropriate.

The scope of this OSC shall not include any costs other than those alleged to have been expended by Respondent to advocate against more stringent codes and standards or to advocate against local governments' adoption of reach codes.

The scope of this order shall include any allocated overhead costs, defined here as "general administrative overhead activities such as general administration, accounting support, IT services and support, and regulatory support."

3. Need for Evidentiary Hearing

The factual allegations and issues for determination set forth in Section 2 are contested material issues of fact. Accordingly, evidentiary hearing is needed.

4. Schedule

The following schedule is adopted here and may be modified by the administrative law judge as required to promote the efficient and fair resolution of this order to show cause:

EVENT	DATE(S)
Parties file a joint statement of stipulated facts or serve a status update if unable to reach agreement on a joint statement	April 30, 2020
Settlement discussions including development of a joint stipulation of facts if previously unable to reach a joint stipulation of facts	May 4, 2020
Parties file a settlement if reached or a joint stipulation of facts if no settlement reached	May 22, 2020
Parties serve witness list (name, title, area(s) of expertise, and issues to be addressed) and cross-examination estimates	August 20, 2020
Evidentiary hearings	August 24-25, 2020
Concurrent opening briefs/request for oral argument	September 18, 2020
Concurrent reply briefs, record submitted	October 16, 2020
Presiding Officer's proposed decision	Within 60 days of submission

The proceeding will stand submitted upon the filing of reply briefs, unless the administrative law judge requires further evidence or argument. Based on this schedule and pursuant to Public Utilities Code Section 1701.5(b), this amended scoping memo revises the statutory deadline of this proceeding to April 1, 2021 to allow time for a possible appeal of the Presiding Officer's Decision (POD) within the 30-day period provided for such appeals in Rule 14.4(a) of the Commission's Rules of Practice and Procedure, or a request for review of the POD within the 30-day period provided for such requests in Rule 14.4(b).

5. Discovery

Rule 11.3 of the Commission's Rules of Practice and Procedure governs disputes regarding discovery, including claims of confidentiality on discovery responses and challenges to those claims.

6. Category of Proceeding/Ex Parte Restrictions

As provided in Rule 1.3(a) and 8.2(b) of the Commission's Rules of Practice and Procedure, the OSC portion of this proceeding is categorized as adjudicatory. Accordingly, ex parte communications are prohibited pursuant to Article 8 of the Commission's Rules of Practice and Procedure. The determination as to category is appealable pursuant to Rule 7.6 of the Commission's Rules of Practice and procedure.

7. Service of Documents on Commissioners and Their Personal Advisors

Rule 1.10 requires only electronic service on any person on the official service list, other than the Administrative Law Judge(s) (ALJ). Parties are reminded that the assigned ALJs and Commissioner require ONLY electronic service of documents tendered for filing in this proceeding.

When serving documents on commissioners or their personal advisors, whether or not they are on the official service list, parties must only provide electronic service. Parties must NOT send hard copies of documents to commissioners or their personal advisors unless specifically instructed to do so.

8. Assignment of Proceeding

Liane M. Randolph is the assigned Commissioner and Julie A. Fitch and Valerie U. Kao are the assigned Administrative Law Judges for the proceeding. For the order to show cause portion of the proceeding, Valerie U. Kao is designated as the presiding officer.

IT IS RULED that:

1. The scope of this proceeding is described above.
 2. The schedule of this proceeding is as set forth above.
 3. Evidentiary hearings are needed.
 4. The presiding officer for the order to show cause portion of this proceeding is Administrative Law Judge Valerie U. Kao.
 5. The category of the order to show cause portion of this proceeding is adjudicatory.
 6. This ruling shall be served on the mailing list for this proceeding.
- Additionally, a copy of this ruling shall be served by certified mail return receipt requested to the Respondent at the following addresses:

Bret Lane
Chairman and Chief Executive Officer
Southern California Gas Company
555 West 5th Street
Los Angeles, CA 90013

Holly A. Jones
Attorney for Southern California Gas Company
555 West 5th Street, Suite 1400
Los Angeles, CA 90013

Dated March 2, 2020, at San Francisco, California.

/s/ LIANE M. RANDOLPH
Liane M. Randolph
Assigned Commissioner